

RESOURCE PARENT NOTIFICATION OF REVIEWS AND COURT HEARING STANDARD

PURPOSE

The purpose of this standard is to provide direction and guidance to the Children and Family Services (CFS) program regarding notifying resource parents of reviews and court hearings involving children in their care. This standard is intended to achieve statewide consistency in the development and application of CFS core services and shall be implemented in the context of all applicable laws, rules and policies. This standard will also provide a measurement for program accountability.

INTRODUCTION

The Adoption and Safe Families Act requires states to provide a process for resource parents, pre-adoptive parents, and relative caregivers of children in alternate care to be notified of and heard in any review or hearing held with respect to a child in alternate care. According to the Safe and Timely Interstate Placement of Foster Children Act (ICPC) P.L. 109-239, States must have policy or standards in place documenting that the resource parents, pre-adoptive parents, and relative caregivers have the “right” to be heard in any proceeding required as part of the case review system. Judicial Rules assign responsibility for notifying resource parents to the Department of Health and Welfare.

STANDARDS

The Adoption and Safe Families Act, section 104 (G) **Notice of Reviews and Hearings**; states the following: “The foster parents (resource parents) (if any) of a child and any pre-adoptive parent or relative providing care for the child are provided with notice of, and the right to be heard in any review or hearing to be held with respect to the child (Safe and Timely Interstate Placement of Foster Children Act [ICPC] P.L. 109-239), except that this subparagraph shall not be construed to require that any foster parent, pre-adoptive parent, or relative, providing care for the child be made a party to such a review or hearing solely on the basis of such notice and right to be heard.”

- When IDHW staff become aware that a hearing has been set in court, they will provide notification to the resource parents a minimum of five (5) working days prior to the hearing. The CFS Program Manager will designate staff responsible to provide notification.
- Resource families should be encouraged to attend and participate in the reviews and/or hearings. Although the Department is responsible for notification, the right of the resource parent to be heard in court will depend on the judge.

- Formal notification will be provided to resource parents by mail whenever possible. In situations where there is not enough time to allow for notification by mail, the social worker will contact resource parents either in person or by telephone. The method of notifying resource parents must be documented in the case file.
- Notification may be sent to the resource parents using the attached or similar letter.
- Documentation of providing notification to the resource parents must be kept in the foster child's case file.

Any variance to these standards will be documented and approved by Division Administration, unless otherwise noted.

Date

Dear (Resource Parent's Name)

The purpose of this letter is to inform you that a (hearing or review) in the interest of (name of child) has been scheduled for (date/ time) at (place) in front of Judge (name).

As you know, there are guidelines which must be followed to ensure that children are reunited with their family as quickly as possible when the child's home environment is safe for their return home.

If reunification is not a viable option, efforts must be made to explore alternate plans for permanency such as guardianship or adoption.

Parents' progress toward complying with their case plan will be reviewed during this hearing and plans will be established related to the child's future.

As a member of the professional team working for the best interest of (first name of child), we encourage your attendance at this hearing and your participation, if allowed by the presiding judge.

Sincerely,

(Name)
Social Worker